

## Minutes



### Planning and Zoning Commission Regular Session

Council Chamber  
101 W. Abram St.

**August 18, 2010  
5:30 P.M.**

The Planning and Zoning Commission of the City of Arlington, Texas, convened in Regular Session on August 18, 2010, at 5:30 p.m. in the Council Chamber of the Municipal Building, 101 West Abram Street, with the meeting being open to the public and notice of said meeting, giving the date, place and subject thereof, having been posted as prescribed by V.T.C.A., Government Code, Chapter 551, with the following members present, to-wit:

|                       |   |  |
|-----------------------|---|--|
| Victor Vandergriff    | * | Chair  |
| Jeff Pokrifcsak       | * |  |
| Andrew Piel           | * |  |
| Brandon Hill          | * |  |
| Suzanne Key           | * | Commissioners  |
| Charla Hawkes Vinyard | * |  |
| Michael Forbes        | * |  |
| Kevin McGlaun         | * |  |
| Maurice Barksdale     | * |  |
| Jim Parajon           | * | Director, Community Development and Planning         |
| Maria Carbajal        | * | Planning Manager, Community Development and Planning |
| Kathy Zibilich        | * | Assistant City Attorney                              |

- I. Call to Order at 5:39 p.m.
- II. Pledge was led by Commissioner Pokrifcsak
- III. Minutes of the August 4, 2010, Planning and Zoning Regular Session were approved as presented.
- IV. PLAT CONSENT AGENDA AND PUBLIC HEARING FOR PLATS  
Approving plats and authorizing the filing thereof where appropriate
  - A. Replat - Webb Community Park Addition, Lot 1-R and Lot 2 (Zoned "R"); 1100 Mansfield Webb Road generally located south of Mansfield Webb Road and west of Webb Ferrell Road

Kevin Charles, Landscape Administrator, presented this case.

- B. Replat - William O'Neal Addition, Lot 28R1 and Lot 28R2 (Zoned "ED-F"); 1315 Wet-N-Wild Way generally located north of Interstate Highway 30 West and east of North Collins Street

Brandon Hill made a motion to approve the Plat Consent Agenda. Seconded by Jeff Pokrifcsak, the motion carried with a vote of 9-0-0.

## APPROVED

### V. PUBLIC HEARING FOR ZONING CASES

#### A. CONTINUED - Zoning Case SUP10-14 (Vantage Yeandle Drill Site – 7100 West Interstate 20 Highway)

Application for approval of a Specific Use Permit for gas drilling on approximately 4.883 acres zoned "A" (Agriculture); 7100 West Interstate 20 Highway generally located south of West Interstate 20 Highway and east of Bowman Springs Road

Sharon Hurd, Planning Project Manager I, presented this case.

Present to speak in support of this case was Cliff Mycoskie, MMA, Inc., 200 East Abram Street.

Also present to speak in support of this case was David Peters, 6305 Saddle Ridge Road.

Also present to speak in support of this case was Richard Ball, 4723 Kensington Court.

Also present to speak in support of this case was Don Yeandle, 7100 West Interstate 20 Highway.

Also present to speak in support of this case was Sandy Denke, 1816 6th Avenue, Fort Worth, representing Mr. and Mrs. Smith, 5115 Bowman Springs Road, whose property backs up to the back west portion of the drill site. She read a letter of support from the Smiths.

Also present to speak in support of this case was Roger Biemans, Vantage Energy, Denver, Colorado.

Present to go on record in support of this case was Nancy Farrar, Vantage Energy, 5924 Forest Lane, Fort Worth; Jacob Sumpter, MMA, Inc., 200 East Abram Street; Daniel Hogan, 2807 Shelterwood Lane; Aric Head, Peloton Land Solutions, 5751 Kroger Drive, Keller; Barry Osborne, Vantage Energy, 777 Main Street, Fort Worth; Deborah Swogger, 7501 Enchanted Bay Boulevard; Elroy Leger, 4207 Shorewood Drive; Michael Kennedy, 116 Inverness, Englewood, Colorado; Alex Marks and Michael Yeandle, 3603 Pelican Court; and Glenn Troutman, 3600 Yachtclub Drive.

Present to speak in opposition to this case was Dan Fernandez, 2823 Quail Lane. He stated that he was representing the adjacent property owner, Metro Energy Savers, Inc. He mentioned that they operate 24 hours a day, seven days a week and have some serious concerns about this drill site. He said that the building is only 120 feet from the pad site and there is no one who would like to run their business that close to a gas well. He stated that they have concerns about noise and safety, but from a business perspective, what happens if there is an accident? He mentioned that about 1,700 feet just west of this site is a Chesapeake site that is in Kennedale. He said that they have customers that come to this location every day and there is nothing appropriate about this well site being 120 feet from their business.

Also present to speak in opposition to this case was Julia Burgen, 2312 Winewood Lane. She stated that she has had a hand in saving this piece of

land and that one of the things she would most like to be remembered for is saving land. She mentioned that the elevation does go up as you go south, so you will be able to see what's going on with the drill site. She said that the 600-foot rule should be followed and that her opposition is because this site is not large enough to fit our rules.

Also present to speak in opposition to this case was Grace Darling, 1316 South Pecan Street, representing the Arlington Conservation Council. She stated that they have over 100 members and are opposed to a drill site so close to the Southwest Nature Preserve. She mentioned that it is an inappropriate site to be adjacent to a place that is supposed to be peaceful, where wildlife is there to be enjoyed. She said that the noise, dust, and traffic are all wrong for this site.

Rebuttal: Mr. Mycoskie stated that they do meet the distance requirement from a non-protected use, which is the land to the west. He mentioned that the nature preserve is a great piece of land and they will do what they can to help that area. He said that the land is on I-20 and anything could be developed there. He stated that during construction of any project there would be noise, dust, and traffic just as with the drilling. He mentioned that they plan to be finished in five years and it is possible they will be gone before the Park plans are completed.

Jeff Pokrifcsak made a motion to approve Zoning Case SUP10-14. Commissioner Piel seconded and offered an amendment incorporating some of the recommendations of the Arlington Parks and Recreation Board:

- 1) Request that no access be granted for the Treepoint right-of-way.
- 2) Request provisions that would require planting and permanent irrigation of trees in the event any of the existing vegetative screening between the Southwest Nature Preserve and the drill site is damaged or removed. This is in addition to the screening and landscaping that is required by ordinance for the drill site.
- 3) Request the use of approved Texas "Smartscape" plants for all landscape installations with the exception of Live Oak trees, *Quercus virginiana*, which we request be removed from any planting plans or lists of approved plants because they are not native to this area and may spread into the Preserve.
- 4) Request an aggressive drilling schedule with drilling concluded within five years from the point of permitting.

The motion carried with the following vote:

AYES: Victor Vandergriff, Jeff Pokrifcsak, Andrew Piel, Charla Hawkes Vinyard, Michael Forbes, Kevin McGlaun, and Maurice Barksdale

NAYS: Suzanne Key

ABSTAIN: Brandon Hill

APPROVED 7-1-1

- B. Zoning Case SUP10-16  
(Galletta Drill Site – 700 East Arkansas Lane and 2311 Richmond Drive)

Application for approval of a Specific Use Permit for gas drilling on approximately 10.490 acres of land zoned "MF18" (Multi-family at 18

dwelling units per acre); 700 East Arkansas Lane and 2311 Richmond Drive generally located south of East Arkansas Lane and east of Richmond Drive

Douglas Cooper, Graduate Planner, presented this case.

Present to speak in support of this case was Cliff Mycoskie, MMA, Inc., 200 East Abram Street.

Present to go on record in support of this case was Tony Rutigliano and T. Brown, Chesapeake Energy, 100 Energy Way, Fort Worth; Jacob Sumpter, MMA, Inc., 200 East Abram Street; Sally Mohammad, 2601 Wisteria Court; and Paul Hinna, 608 East Williamsburg Manor.

Present to speak in opposition to this case was Patrick McElroy, 1009 Holly Hill Court. He stated that he is the president of the Stoneridge HOA, a 600-member association. He mentioned that they have had two cancellations of leases and have since had two inquiries but no lease has been signed for the 14+ acres of the subdivision's common area. He said that Chesapeake wants to be in this land, but there has been no lease from Paloma Land Management for them to do so.

Also present to speak in opposition to this case was Patrick Fitzgibbons, 2507 Carriage Place. He stated that he lives in the Stoneridge subdivision and the proposed drill site is right next to their HOA. He mentioned that he is opposed to this gas well site because it is too close and that there are residences on three sides of the site. He said that many of the people this will impact received no money from leases because they are renters. He stated that these people have no voice, so the Commission and City Council will have to be their voices.

Present to go on record in opposition to this case was Patricia Fitzgibbons, 2507 Carriage Place; and Julia Burgen, 2312 Winewood Lane.

Rebuttal: Mr. Mycoskie stated that they will be getting together with the HOA. He mentioned that they are outside the limits where they can drill and that there is a natural tree buffer to the south plus, they are planning on planting red cedars to also help buffer the site.

Jeff Pokrifcsak made a motion to approve Zoning Case SUP10-16. Commissioner Piel seconded and offered an amendment that all landscaping have permanent irrigation especially for the houses facing south and that drilling be concluded within five years of permitting. The motion carried with the following vote:

AYES: Victor Vandergriff, Jeff Pokrifcsak, Andrew Piel, Suzanne Key, Charla Hawkes Vinyard, Kevin McGlaun, and Maurice Barksdale

NAYS: Michael Forbes

ABSTAIN: Brandon Hill

APPROVED 7-1-1

C. Zoning Case SUP10-17  
(Vantage LABC Drill Site – 2912 and 3012 Little Road)

Application for approval of a Specific Use Permit for gas drilling on approximately 5.338 acres zoned "R" (Single-family residential with a

minimum lot size of 7,200 square feet); 2912 and 3012 Little Road generally located north of West Mayfield Road and west of Little Road

Sharon Hurd, Planning Project Manager I, presented this case.

Present to speak in support of this case was Cliff Mycoskie, MMA, Inc., 200 East Abram Street.

Also present to speak in support of this case was Roger Biemans, Vantage Energy, Denver, Colorado.

Also present to speak in support of this case was Glenn Troutman, 3600 Yachtclub Drive representing West Citizen Action Network.

Also present to speak in support of this case was Daniel Hogan, 2807 Shelterwood Lane.

Also present to speak in support of this case was Larry Anthony, 2912 Little Road, representing the members of Lake Arlington Baptist Church.

Present to go on record in support of this case was Richard Ball, 4723 Kensington Court; Nancy Farrar, 5924 Forest Lane, Fort Worth; Elroy Leger, 4207 Shorewood Drive; David Peters, 6305 Saddle Ridge Court; Jacob Sumpter, MMA, Inc., 200 East Abram Street; Barry Osborne, Vantage Energy, 777 Main Street, Fort Worth; Aric Head, Peloton Land Solutions, 5751 Kroger Drive, Keller; Sandy Denke and Don Yeandle, 1816 6th Avenue, Fort Worth; Barbara Hogan, 2807 Shelterwood Lane; W.G. and Susan Brodie, 3200 Little Road; and Michael Kennedy, 116 Inverness, Englewood, Colorado.

Present to go on record in opposition to this case was Julia Burgen, 2312 Winewood Lane.

Maurice Barksdale made a motion to approve Zoning Case SUP10-17. Seconded by Charla Hawkes Vinyard, the motion carried with the following vote:

AYES: Victor Vandergriff, Jeff Pokrifcsak, Charla Hawkes Vinyard, Michael Forbes, and Maurice Barksdale

NAYS: Suzanne Key and Kevin McGlaun

ABSTAIN: Brandon Hill and Andrew Piel

APPROVED 5-2-2

D. Zoning Case SUP10-18  
(Rush Creek Christian Church – 2401 Southwest Green Oaks Boulevard)

Application for approval of a Specific Use Permit for daycare use on approximately 5.070 acres zoned "R" (Single-family residential with a minimum lot size of 7,200 square feet); 2401 Southwest Green Oaks Boulevard generally located north of Southwest Green Oaks Boulevard and east of South Bowen Road

Kevin Charles, Landscape Administrator, presented this case.

Charla Hawkes Vinyard made a motion to approve Zoning Case SUP10-18. Seconded by Michael Forbes, the motion carried with a vote of 9-0-0.

APPROVED

E. Zoning Case SUP10-20  
(A/C Storage – 6005 Poly Webb Road)

Application for approval of a Specific Use Permit for mini-warehouses on approximately 0.58 acres of land zoned "CS" (Community Service); 6005 Poly Webb Road generally located north of Poly Webb Road and west of Little Road

Douglas Cooper, Graduate Planner, presented this case.

Present to go on record in support of this case was Bo Avery, 6005 Poly Webb Road; and Don Avery, 4400 Little Road.

Jeff Pokrifcsak made a motion to deny Zoning Case SUP10-20. Seconded by Andrew Piel, the motion failed by the following vote:

AYES: Victor Vandergriff, Jeff Pokrifcsak, Andrew Piel, and Maurice Barksdale

NAYS: Kevin McGlaun, Brandon Hill, Charla Hawkes Vinyard, Suzanne Key, and Michael Forbes

ABSTAIN: None

FAILED 4-5-0

Kevin McGlaun made a motion to approve Zoning Case SUP10-20. Seconded by Brandon Hill, the motion carried with the following vote:

AYES: Kevin McGlaun, Brandon Hill, Charla Hawkes Vinyard, Suzanne Key, and Michael Forbes

NAYS: Victor Vandergriff, Jeff Pokrifcsak, Andrew Piel, and Maurice Barksdale

ABSTAIN: None

APPROVED 5-4-0

VI. ADJOURN

Being no other business to come before the Commission, Chair Vandergriff adjourned the meeting at 5:58 p.m.

ATTEST:

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Chair

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Secretary to the Commission  
APPROVED this 1st day of September 2010